



PUBLIC DEFENDER NEWS

Congratulations Region 6!

The Region 6 Office of the State Public Defender received the 2016 Governor's Team Award for Excellence from Gov. Steve Bullock at a ceremony at the Great Northern Hotel in Helena in August.

Led by Regional Deputy Public Defender Kaydee Snipes Ruiz, Region 6 includes offices in Havre and Glasgow. The eight-person team has improved productivity and efficiency to handle a large caseload increase by shifting to a paper-free office and using technology to enhance representation in remote locations.



"On behalf of my team, I am very excited about this award. My whole Region 6 team, attorneys and support staff alike, has been working vigorously to make our representation of the indigent populations of the (area) streamlined, successful, and protective," Kaydee said.

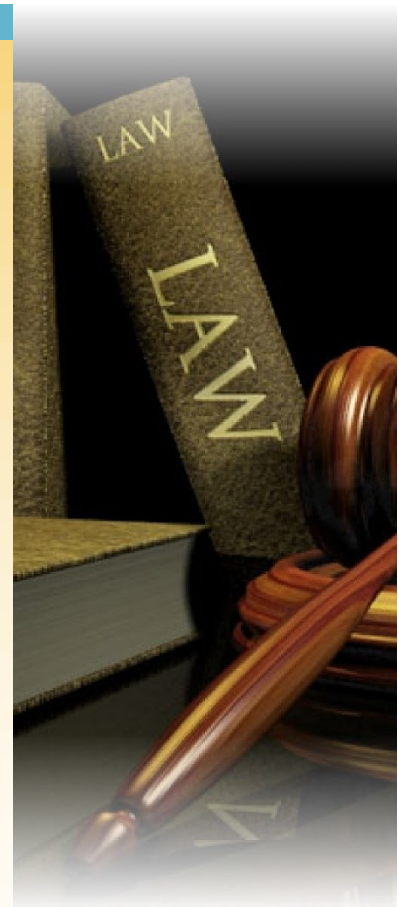
The Region 6 team includes attorneys Karen Alley, Casey Moore and new addition Claire Lettow; investigator Cathy Huston; and support staff Jamie Moore, Carly Friede and Sara Newton. Region 6 stretches west to Chester, south to Fort Benton and east to Glasgow. They cover 22 courts in six counties, spread over an area of almost 23,000 square miles, approximately the size of West Virginia.

The region is not only large, but has been going through a caseload "growth spurt," as Kaydee says..

"Though we don't have our final fiscal year numbers yet, we are looking at approximately an 18 (percent) caseload increase for this past fiscal year in our Region 6 Office," she said. "My team has risen to the challenge."

Way to go Kaydee and Team! Thanks for all you do!

From the [Havre Daily News](#)



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Task Force Update

Bill Hooks

The Task Force on State Public Defender Operations held its final meeting on Monday, September 12, and voted on draft legislation to propose as bills in the 2017 session. Over the past year, we have produced comprehensive data and information on virtually all aspects of our operations. We responded to inquiries about our eligibility determination processes, our contract attorney program, workloads, case filing increases, DN case challenges, training, staffing, management, and resource needs.

The Task Force voted to proceed with legislation that if adopted, will help the agency in several areas. The members recommended legislation that will direct OPD to retain outside experts to conduct a work- and time-study of all FTEs in the agency. Working in conjunction with these experts, OPD would identify all the tasks we are required to perform, and measure the time devoted to these tasks. By analyzing the results, the study would arrive at a specific number of FTEs needed to fully and appropriately do the work we are assigned to complete. The state district court judges participated in a similar study, and the resulting report is being used to support legislation to add a number of new judges.



The Task Force also voted to recommend legislation that would relieve OPD of the obligation to provide counsel for putative or unknown fathers in DN cases; to turn over the eligibility determination tasks to the Department of Public Health and Human Services; and to fund pilot projects for holistic defense.

The final bill that the Task Force elected to move forward would change the structure of OPD and the role of the Commission. As you know, earlier this year the Public Defender Commission re-organized the agency support function by changing the role of the Central Office, which provides non-legal support to the trial, appellate and conflict programs. The Commission moved this function out of Program 1, the trial division, and established it as a separate, independent Program 4. Scott Cruse was hired as the chief administrator to replace Harry Freebourn in the new program. Scott reports directly to the Commission, as Chad, Kristina and I do.

The Task Force did not concur in the Commission's re-organization. Instead, they voted to recommend legislation that would re-structure the management level of OPD. If adopted, the legislation would take away the Commission's supervisory role, and make them advisory only. An executive director would be hired to lead all programs in OPD, including administrative and legal functions. This executive director position would be named by the Governor, but this position would not be an "at will" appointee position.

The Task Force will issue a report and final bill drafts sometime in November. However, the legislative process is long and complex, and how these bills will fare in the upcoming session remains to be seen.

Bill

SECGC In Progress!

Montana State Employees CHARITABLE GIVING CAMPAIGN

September 26 to November 4

The State Employees' Charitable Giving Campaign (SECGC) is the annual opportunity for all state employees to make donations to their favorite non-profit organizations. The convenience it offers through either payroll deduction or one-time contributions is its hallmark. Its purpose is to provide an easy way for state employees to give and support the non-profits of their choosing. The SECGC offers a large array of nonprofits that are unique to this Campaign.

Let's join together to beat last year's statewide total of \$504,878.15. The goal is to break \$510,000 this year. Let's all step up and contribute.

Thanks state employees!

Give online before November 4 at
secgc.mt.gov



Communicating, Compromising and Problem Solving

Scott Cruse

Have you ever thought about the conversations that you have with people every day? Conversations with your spouse... with your children... with your colleagues at work... or even with your friends? Communicating with people is at the heart of everything that we do. We communicate in order to influence, educate, praise, discipline, and most often, just for the pure joy of having a conversation with a friend or loved one. There are lots of reasons why we communicate with people, but at the very

heart of it is that we are social creatures who need interaction with one another. Most people can only handle being incommunicado for a short period of time until they start to go a little bonkers. For some, this period of self-reflection can last for a few days, but for others, more than a few hours would be torture. For instance, take my five-year-old daughter. The other day when she was riding with me to the store, I thought to myself, how does she breathe? It seemed like whatever thought popped into her head came out of her mouth immediately in rapid fire succession for the entire hour and a half that we were visiting town.

Communication should be a 50/50 exercise.

Sometimes when we talk to people we are like my daughter (myself included). Sometimes we spend too much time talking and not near enough time listening. Communication should be a 50/50 exercise. 50% talking and 50% listening. When we dominate a conversation, what we are really saying to the other person is that what they have to say is not important. In a purely social context, this type of behavior generally can have a chilling effect on relationships. Frankly, I don't know anyone who likes to be seen and not heard. In the work-place our inability to listen and collaborate with our co-workers can also have a profound impact on relationships, which can then have a destabilizing effect on many other important factors which contribute to an organization's overall effectiveness. Have you ever heard the expression "never make a decision in a vacuum?" When an individual fails to explore all the possibilities for a potential solution to a problem, that is exactly what they are doing. When faced with a problem in the workplace, there are generally a cadre of potential subject matter experts available with whom we can consult prior to making a decision. When we take this collaborative approach, it generally increases the likelihood that a positive outcome will occur and also promotes team-building, trust, and improved morale within the work-force, all of which are good for an organization.



During my military and government service, I held a number of leadership roles where I was called upon to develop a course of action to address a complex problem. I never had a problem making a decision, I just didn't like making one without all the facts. As a decision-maker, it was important for me to have a strong grasp of the problem, potential solutions, as well as their impact if implemented. I was rarely the subject matter expert when facing complex issues, I just happened to be the person responsible for deciding which course of action to take. So, whenever I was faced with a difficult problem, I assembled all of the stake-holders who might be impacted by any decision that I had to make and collectively we developed a course of action that held the least risk and had the most promise for a positive outcome. But the

key to success was always the basic concepts of communication and compromise. Absent these two key ingredients, my collaborative effort was doomed from the start.

As most of you know by now, OPD is facing some pretty serious budgetary challenges. The Public Defender Commission will be discussing mitigation strategies at their October 3 meeting that could be quite impactful to public defender operations. So I am going to ask all of you to consider what I have said today regarding the importance of communication and collaboration in the decision making process. We must work together to find solutions to our budgetary problems and be willing to find efficiencies in the way we conduct our daily business so that we do not adversely impact our core missions. It will not be easy, so this is a time for strong leadership, open-mindedness, collaboration, compromise, and commitment by everyone to this endeavor.

Thank-you for all that you do and I look forward to working with all of you.

Scott

See You at the Annual Meeting!

We have a record number of registrants for this year's annual training conference, October 12-13 at the Best Western GranTree in Bozeman.

Well over 200 FTE and contract attorneys and investigators will gather to hear top-notch speakers from around the country on topics from DN issues to forensic linguistics.

The annual conference provides valuable training in a variety of practice areas, as well as required CLE credits, for both staff and contract attorneys.

Along with other remote and in-person trainings such as the Trial Skills "Boot Camp" provided to all new attorneys, the annual conference helps ensure that we are providing effective representation to all clients entitled to public defender services.

Mastering JustWare: Conflict FTE Attorney

Now that we are adding more and more FTE Attorneys to the Conflict Program, we're running into some problems assigning cases to them.

When a case is deemed a conflict and Kristina Neal has assigned one of her FTE attorneys to the case, the following process is used to get them added correctly to the case.

1. The case will continue to stay within your Region: Agency Added By remains the same.
2. Under Agencies (F7): Add Defense and assign Conflict Office.
3. Under Case Involved Parties (F8): Add Conflict Office, Defense Attorney, and then you should see the Conflict Attorney FTE in the drop down list.
4. Attributes (F4): **Override** the existing attribute to reflect: Conflict Attorney Internal FTE
5. Save



We are also seeing more and more cases where we assign a Conflict Attorney FTE *and* a Contract Attorney as co-counsel. When that happens:

1. Under Agencies (F7): Add Defense and assign Contracted Counsel, Region ____.
2. Under Case Involved Parties (F8): Add Contract Counsel Region ___, Defense Attorney, and then you should see the Contract Attorney assigned in the drop down list.
3. Attributes (F4): **Add** to the existing attributes Co-Counsel Contract Attorney
4. Save

Even though the attribute says that we're adding a Contract Attorney instead of designating a Conflict Attorney on a conflict case, the new CRM system is designed to look at the additional attribute of Conflict Internal FTE. Then depending on that other attribute, CRM will add that case to the Contract Attorney's conflict list for billing purposes.

Here is a list of our Conflict FTE Attorneys, along with their locations.

Atkins, Cody	Billings
Carlson, Betty	Great Falls
Claus, Matthew	Billings
Corbally, Sarah	Great Falls
Cushman, Travis	Great Falls
Drew, Roberta	Billings
Kauffman, Lisa	Missoula
Womack, Leta	Missoula

Please contact me if you run into additional issues relating to Conflict FTE.

As our agency grows, JustWare needs to evolve as well. We're always open to hearing your suggestions on how to make JW work better for you!

Marsha

More 10 Year Celebrations!



Regions 8 (Bozeman) and 9 (Billings) recently honored staff who are celebrating 10 years with OPD.

Britton Frisbie reported that Billings had the largest turnout ever for an office event. She said, "It was great to see everyone supporting each other. Each person got a framed certificate and a bowl of sweet treats for their office. The food was amazing and there was so much to eat, such as Chicken Alfredo, Taco Soup, homemade frosted sugar cookies and more!" Honorees were Marilyn Pulver, Loretta Herggett, Kristine Kerr, Elise Turcotte, Mike Gaub, Jim Siegman, Moira D'Alton and Doug Day. The Billings staff also graciously included Central Services employee Steven St. John, who missed the celebration in Butte.

In Bozeman, Regional Deputy Annie DeWolf hosted a barbeque recognizing their 10-year folks: Nick Miller, Sarah Wardinsky, Val Cairns and Mary Kramer.

Thank you all for your service and your dedication to public defense!

*Right, Bozeman crew:
Nick, Sarah, Val and Mary.*

*Below, a few of the Billings honorees:
Doug and Marilyn, Elise and Mike.*





While you're not expected to wash the state car *every* time you use it (although once in a while would be nice!), you do have certain **every time** responsibilities as a user — namely to make it clean and safe for the next person.

Be sure to:

- Remove trash and wipe up spills
- See that the exterior (especially windows and headlights) is clean enough for safe driving

- Report any needed maintenance or repairs
- Leave at least a half tank of gas for the next trip

Your co-workers will thank you!

Mere access to the courthouse doors does not by itself assure a proper functioning of the adversary process.

—Thurgood Marshall

Open Enrollment Coming

Annual Change is now called Open Enrollment, and it begins October 14. You will have until October 31 to make changes to your 2017 Benefit Elections in the MINE site.

There will be interactive webcasts on October 12 and 13, and they will be available for on-demand viewing following the webcasts.

Generally, we will pay the same per month for benefits in 2017.

The Live Life Well [incentive](#) is up to \$30 per month for participating employees, and an additional \$30 for participating spouses or domestic partners.

Stayed tuned for further information, or go to the HCB [website](#) for 2017 rates and more.

Live Better with the EAP!

The Employee Assistance Program (EAP) helps you **privately** solve problems that may interfere with your work, family, and life in general. EAP services are FREE to you, your dependents and all household members. Services are confidential and provided by experts.



In-person or online confidential counseling is available, in addition to 24-hour crisis help. Counselors can help with a variety of problems such as family, parenting, relationship, stress, anxiety and other challenges.

The EAP also offers resources on childcare, eldercare, legal and financial services, mediation, home ownership and identity theft. And, they are currently hosting seminars on suicide prevention around the state.

For more information, click [here](#), or contact the EAP staff at 444-1345, or eap@mt.gov.